



DEPARTMENT OF THE NAVY  
BUREAU OF NAVAL PERSONNEL  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

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PERS 00J6/20180237

February 12, 2018

Mr. Nicholas S. Stewart  
4711 S. Himes Avenue  
#1204  
Tampa, FL 33611

Dear Mr. Stewart:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST

This is in response to your Freedom of Information Act (FOIA) request in which you seek (1) requests submitted by Navy and Marine Corps officers for waiver of Aviation Career Incentive Pay (ACIP) months-offlying requirement for OPFLY gate 1 and gate 2, (2) endorsements on such requests made by the Navy or Marine Corps officer's chain of command, to include the Assistant Secretary of the Navy (Manpower and Reserve Affairs), and (3) decisional documents (e.g. action memoranda, decision memoranda, etc., indicating the Secretary of the Navy's final disposition of the request and any rationale provided to support that disposition. This FOIA request includes such waiver requests that were acted upon by the Secretary of the Navy between August 2, 2017 and present. Your request was received in this office (PERS-00J) on February 4, 2018, and has been assigned correspondence number CNPC20180217 by this command.

A search was conducted by our Aviation Assignments Branch (PERS-435) for documents responsive to your request. The resultant search revealed no records responsive to your request.

If you believe an adequate search of this command's records was not conducted, you have the right to appeal this "No Records" determination, in writing, to the Office of the Judge Advocate General, OJAG Code 14, 1322 Patterson Avenue SE Suite 3000, Washington Navy Yard, DC 20374-5066.

Should you believe the submission of an appeal necessary, it must be received in that office within 90 calendar days from the date of this letter in order to be considered. Please attach a copy of this letter and the

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original request. Include a statement regarding why you believe this command may possess records responsive to your request. Please mark both the envelope and your appeal letter "FOIA/PA APPEAL."

No assessable FOIA fees were associated with the processing of your request. I am the official responsible for this "No Records" response regarding records maintained by this command. Should you wish to discuss this matter, you may contact the undersigned at (901) 874-3165. You may also contact the DON FOIA Public Liaison, Christopher Julka, at [Christopher.a.julka@navy.mil](mailto:Christopher.a.julka@navy.mil) or at (703) 697-0031. In addition, the Office of Government Information Services (OGIS) provides a voluntary mediation process for resolving disputes between persons making FOIA requests and the Department of the Navy (DON). Their website is below: <https://www.archives.gov/ogis/about-ogis/contact-information>.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. P. German', with a long horizontal flourish extending to the right.

D. P. GERMAN  
FOIA/PA Officer  
By direction